

U.S. Serial No. 09/532,755
Attorney 1 .ket No. PD-990193

REMARKS

As an initial matter, the undersigned would like to thank Examiners Chung and Srivastava for the courtesy of the telephone conference conducted on June 22, 2004. Accompanying this paper is a paper entitled Interview Summary under 37 C.F.R. § 1.133, which summarizes the substance of the telephonic interview.

Claims 11-14, 16-19, 26-43, 45, 46, 49-52 and 59-64 are pending and at issue in this application. Of the claims at issue, claims 14, 26, 45, 49 and 59 are independent. In the official action dated March 25, 2004, claims 11-14, 16-19, 26-43, 45, 46, 49-52 and 59-64 were rejected as unpatentable over Knee et al. (U.S. 2002/0095676 A1), in view of one or more of Berezowski et al. (U.S. Patent No. 6,064,376), Graves (U.S. Patent No. 5,410,344), Davis et al. (U.S. Patent No. 5,559,548), Picco et al. (U.S. Patent No. 6,029,045), Sawyer (U.S. Patent No. 6,084,628), Ward et al. (U.S. 2002/0073424 A1), Kitsukawa (U.S. Patent No. 6,282,713), Pollack (U.S. Patent No. 5,153,580), Buch et al. (U.S. Patent No. 6,463,468), and Knee (U.S. Patent No. 5,589,892). In view of the foregoing amendments and the following remarks, the rejections are respectfully traversed and reconsideration of this application is respectfully requested.

The art of record fails to teach or suggest the use of program attribute information identifying content of television programs selected by a user and advertisement attribute information, as recited in independent claim 14. In particular, Knee et al. (U.S. 2002/0095676 A1) teach a system in which each advertisement to be broadcasted is assigned a target demographic profile. As further taught by Knee et al., a demographic profile is also developed for each user. Each user's demographic profile may be developed based on an automatic analysis of the user's historical program selection activities, while other demographic profile information (e.g., income level) is provided manually by the user. Knee et al. further teach that advertisements to be displayed to a particular user are selected by

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comparing the demographic profile of the user to the target demographic profiles assigned to each of the broadcast advertisements. Thus, with the system taught by Knee et al., a personalized display of advertisements requires the development of demographic profiles for each of the users as well as each of the broadcast advertisements.

The applicants respectfully submit that the demographic profiles taught by Knee et al. are not advertisement attribute information or program attribute information as recited in claim 14. On the contrary, demographic information is not an attribute (e.g., an inherent characteristic) of an advertisement or a program at all but, rather, is commonly understood to mean attributes of a person (see FIG. 2 of Knee et al.) In remarkable contrast to the system taught by Knee et al., the system recited in claim 14 enables advertisements to be selected for display to a user based on that user's program selection history without having to generate demographic profile information for both the advertisements and the users. In other words, the system recited in claim 14 completely eliminates the need to generate demographic profiles (as taught by Knee et al.) to enable the selective display of advertisements to users. Instead, the system recited in claim 14 can provide a personalized display of advertisements to particular users based on the attributes identifying content of selected programs and broadcast advertisements rather than personal attributes of the users, which may be very difficult, if not impossible, to obtain in a consistent and reliable manner.

Thus, while the system taught by Knee et al. and the system recited in claim 14 are similar in that both systems are configured to enable the selective display of different advertisements to different users, these systems accomplish their objectives in fundamentally different manners. The system taught by Knee et al. is focused on the demographic characteristics (i.e., the personal attributes) of users, while the system recited in claim 14 is focused on the attributes of programs selected by users, regardless of the demographic characteristics of the users.

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Furthermore, it would not have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Knee et al. to eliminate the generation of demographic profiles. Such a modification would completely eviscerate the very purpose of the system taught by Knee et al. For instance, Knee et al. teach that their system enables an advertiser to target an advertisement to a person having a certain level of personal income or certain other demographic characteristics. Eliminating the demographic profiling taught by Knee et al. would eliminate the certainty that a particular advertisement could delivered only to those persons having the requisite personal income or other demographic characteristics.

The remaining references fail to overcome the above-noted deficiencies of Knee et al. Accordingly, claim 14 and all claims dependent thereon are now in condition for allowance.

Independent claims 26, 45, 49 and 59, and all claims dependent thereon, are also in condition for allowance for at least the reasons set forth in connection with claim 14 above.

Accordingly, it is respectfully submitted that claims 11-14, 16-19, 26-43, 45, 46, 49-52 and 59-64 are in condition for allowance. If, for any reason, the examiner is unable to allow the application in the next official action, the examiner is encouraged to telephone the undersigned attorney at the telephone number listed below to discuss this matter.

Respectfully submitted,

GROSSMAN & FLIGHT, LLC
20 N. Wacker Dr.
Suite 4200
Chicago, IL 60606

Dated: June 25, 2009

By: Mark G. Hanley
Mark G. Hanley
Reg. No. 44,736
Attorney for Applicants

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